

UNITED STATES OF AMERICA
US DISTRICT COURT

U.S. DISTRICT COURT
DISTRICT OF N.H.
FILED
CONCORD NH
2014 OCT 14 P 3:00

UNITED STATES OF AMERICA
v
JOHNATHON IRISH

13-CR-00142-PB-1

MOTION FOR APPOINTMENT OF NEW COUNSEL

Now comes Johnathon Irish , With a **MOTION FOR APPOINTMENT OF NEW COUNSEL** and says that;

1. On July 30, 2014 and again in September hearings were held in this case with regards to STATUS of COUNSEL. There was lengthy discussion regarding issues that I was having with my Attorney Larry Vogleman. After the September hearing Mr. Irish chose to continue to keep Attorney Vogelman as his attorney for this case based on the fact that Attorney Vogelman stated that he would improve his work with Mr. Irish to complete this case properly.
2. Attorney Vogelman has gone back on his word on assisting Mr. Irish in this Federal case to the point that he has ordered his office staff to no longer take any calls from Mr. Irish, his Fiancee/Wife Stephanie Taylor and Mr. Irish's Mother /Power of Attorney,Nancy Haskell.
3. Attorney Vogelman stated that he will only accept emails from Mr. Irish this of which was only able to happen when Mr. Irish was in MCC New York in Manhattan New York. Attorney Vogelman then stated that he will only accept hand written letters from Mr. Irish. Mr. Irish informed Attorney Vogelman and his office staff that he can not get the letters written do to an old injury to his hand but he would try. Mr. Irish has no funds to obtain envelopes and stamps necessary to mail the letters. The only way to do that is if he were to do favors for other inmates that can afford to get the stamps and envelopes but this is something that Mr. Irish refuses to do as that would be breaking the rules of the facility in Middleton Massachusetts.
4. Attorney Vogleman as recently as today, October 10, 2014 has advised all of his staff to tell us that they will not take phone calls from us and then the receptionist slams down the phone, ending the phone call.
5. Attorney Vogelman's staff now hangs up the phones when he realizes it is Mr. Irish attempting to call and at least leave a message that they can listen to later.
6. Attorney Vogelman has hung up on Mr. Irish while he has attempted to voice his concerns on the facility he is currently being housed in. The staff at the facility this past Sunday searched the unit Mr. Irish is housed in and found that another inmate had multiple knives and other contraband. There is other concerns that there is an out brake of staff infection MRSA on the unit and nothing is being done about it including the fact that the proper medication's are not being provided to the inmates that have the infection.
7. The staff infection that Mr. Irish says is going around is a threat to his health do to his eye

injury that he had when he was a child that being that he lost his left eye when he was barely 9 years old. If that staff infection spreads to him and his eye that could cause serous health problems for Mr. Irish and Attorney Vogelmann and his staff refuse to contact the facility about his concerns.

8. On October 10th Mr. Irish called Attorney and was very calm in speaking his concerns but Attorney Vogelmann was very rude and swearing at Mr. Irish then Attorney Vogelmann hung up on Mr. Irish.
9. Mr. Irish would like that this Honorable court please appoint him a new attorney that will properly assist him in working with this case. Mr. Irish is beyond displeased with Attorney Vogelmann's lack of assistance in this case. Mr. Irish is to the point of tears with fear that Attorney Vogelmann will not assist him properly do to him not communicating properly with him.
10. Mr. Irish's attorney Larry Vogelmann has been of little to mostly no assistance to his client the defendant Mr. Irish refusing fair and adequate legal council. Mr. Irish feels neglected by this attorney and no longer accepts his "assistance" in this legal matter.
11. Mr. Irish would greatly appreciate it if this Honorable court could please assign Attorney Evan Nappen as his attorney in this case. Mr. Irish has worked very well with Attorney Nappen in the past and adores his ability to properly prepare any court cases placed on his desk. Attorney Nappen is already aware of this current case and would like to assist if the proper funds or court appointment could be provided to him.
12. Attorney Vogelmann has ordered his office staff to not take any calls from Mr. Irish or any members of the famiy to "hang up the phone" as soon as they know that it is either his mother Nancy Haskell or his Fiancee/ Wife Stephanie Taylor. Regardless to the fact that the family is only trying to contact the office with helpful information that they need in regards to this case. Including but not limited to specific dates and times that need to be passed to Attorney Vogelmann, and information on alleged witnesses.
13. It is Mr. Irish's feeling and believe that Attorney Vogelmann doesn't want to work properly with and threw his office staff to assist Mr. Irish any further. Mr. Irish is under them impression that the facility that he is housed at will not allow attorney client phone calls via the attorney call the jail and ask to be put in contact with him as he has been told by Attorney Vogelmann and his staff that they can not call this facility to be put in contact with their client. IF this is true then this is a problem that needs to be corrected with the facility so that contact can be made.
14. Mr. Irish deserves proper action from an attorney and facility to be able to maintain contact between the client and his attorney. It is also not proper for any attorney office to slam the phone's down when contact is attempting to be made.
15. Mr. Irish would like nothing more than to NOT allow Attorney Vogelmann this last chance because of these action's. It is in Mr. Irish's memory that Attorney Vogelmann stated that during his time of medical leave for surgery that there was going to be a form of assistant with in his office that could be in contact with Mr. Irish and would be working on this case with him and for him.

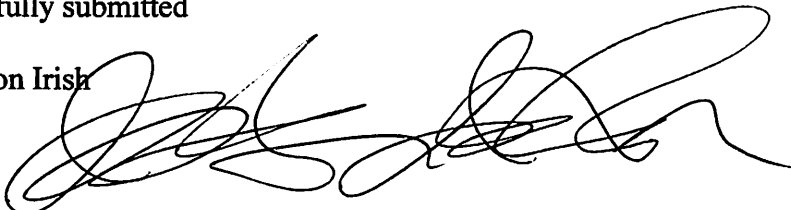
16. Attorney Vogelman has been appointed as the Attorney to assist Mr. Irish in this case to work with and for Mr. Irish to fight against these charges not to work against Mr. Irish as Attorney Vogelman's action's have been through out this case have been against Mr. Irish's wishes.
17. Attorney Vogelman was requested by the Judge on this to have specific motions filed with this court no later than today October 14th 2014 and for the government to file their response no later than October 21st 2014. Mr. Irish received a letter from Attorney Vogelman that he will not be doing as the Judge requested and will not be filing the motion for dismissal based on prosecutable misconduct. Although the information provided to Attorney Vogelman by Mr. Irish Attorney Vogelman stated in the letter that it is helpful information yet its to Mr. Irish's belief that Attorney Vogelman will not be doing anything that even might be helpful to Mr. Irish in this case even though Attorney Vogelman works for Mr. Irish in this case not the government it is Attorney Vogelman who's actions are proving to Mr. Irish that is intentions are to work against him in this trial and no longer trusts Attorney Vogelman with this case.
18. Mr. Irish does not have the income to provide his own funds for his own attorney in this matter do to him being incarcerated but could greatly benefit form having not only the proper attorney working on this case but a proper way to communicate with the assisting Attorney.
19. Mr. Irish has been attempting to be in contact with Attorney Vogelman and is office as Attorney Vogelman stated during the last court hearing that he has a law student in the office that could have assisted him in working on this case for him where he was to be going on medical leave. Any contact not even a name for this alleged law student that was going to be able to be given to Mr. Irish. No one has been in proper contact with Mr. Irish during this time when he needs to be in contact with his Attorney to prepare for trial.
20. Mr. Irish has given Attorney Vogelman more than enough chances to actually assist him with his choices to continue going to trial. Rather than getting upset and refusing to have any contact with him after he chooses to not accept the plea bargain's offered. After every plea deal that has been told to Mr. Irish he takes the time to think about the offer then as soon as he tells Attorney Vogelman that he doesn't want to take the offered plea, Attorney Vogelman neglects Mr. Irish as his client. As well as anything that has to deal with this case Attorney Vogelman acts like he does not have the time for this case.

Wherefore the defendant Johnathon S. Irish respectfully requests that this Honorable Court:

1. Grant this motion and appoint new and proper council, preferably Attorney Evan Nappen
2. If motion is not to be granted then to please grant Mr. Irish with bail so that he can properly prepare for a proper trial.
3. Any other relieve that this court deems just and fair.

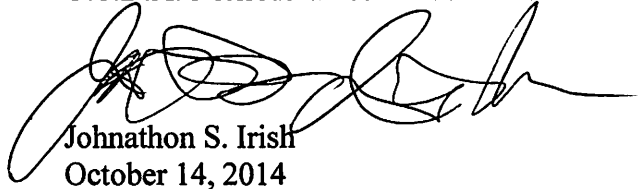
Respectfully submitted

Johnathon Irish

A handwritten signature in black ink, appearing to read 'Johnathon Irish', written over a horizontal line.

CERTIFICATE OF SERVICE

I hereby certify that on this day, that this motion has been forwarded to the Federal Prosecutor
U.S.D.A. Nick Abramson at 53 Pleasant Street, 4th floor Concord, NH 03301

A handwritten signature in black ink, appearing to read "Johnathon S. Irish", is written over the printed name and date.

Johnathon S. Irish
October 14, 2014